

07-26-01

CPA/3739

#49/2001

Please type or plus sign (+) inside this box



PTO/SB/29 (8-00)

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CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTALSubmit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))CHECK BOX, if applicable:  
 DUPLICATE

Address to:

Commissioner for Patents  
Box CPA  
Washington, DC 20231Attorney Docket No.  
Of Prior Application

16904-726

First Named Inventor

Edward W. Knowlton

Examiner Name

D. Shay

Group Art Unit

3739

Express Mail Label No.

EL682476991US

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/003,423,  
filed on January 6, 1998, entitled Method And Apparatus For Controlled Contraction of Collagen TissueNOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b); or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to a Provisional Application Final Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122, ~~as much as~~ extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed.
  - a.  PTO-1449
  - b.  Copies of IDS Citations

RECEIVED

163700 MAIL ROOM  
JUL 31 200107/27/2001 GTEFFERA 00000082 232415 09003423  
01 FC:231 355.00 CH  
02 FC:203 18.00 CH

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box CPA, Washington, DC 20231.

07/27/2001 GTEFFERA 00000083 232415 09003423  
01 FC:216 195.00 CH

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	23-20* =	2	r \$18.00=	\$ 36.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (j))	1-3** =		r \$0=	0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			r \$0=	0
				BASIC FEE (37 CFR 1.16)	710.00
				Total of above Calculations =	746.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				373.00
	<small>*Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.</small>			TOTAL =	\$373.00

6.  Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 23-2415:

- Fees required under 37 CFR 1.16.
- Fees required under 37 CFR 1.17.
- Fees required under 37 CFR 1.18.

8.  A check in the amount of \$\_\_\_\_ is enclosed.

9.  Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(j) enclosed).

10.a.  Receipt for Facsimile Transmitted CPA (PTO/SB/29A)

b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

11.  Other: A two-month extension of time is hereby requested. The Commissioner is authorized to charge \$195.00 (for a small entity) to Deposit Account No. 23-2415 (16904-726). Set of Pending Claims is attached.

**NOTE:** *The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.*

12. NEW CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		021971		<input type="checkbox"/> New correspondence address below (Insert Customer No. or Attach bar code label here)	
NAME					
ADDRESS					
CITY	STATE		ZIP CODE		
COUNTRY	TELEPHONE		FAX		

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
NAME (Print/Type)	Shirley Chen
SIGNATURE	
REGISTRATION NO. (Attorney/Agent)	44,608 ✓
DATE	July 24, 2001

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## PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 1997

Application of Docket Number

09/003423

DA/D

## CLAIMS AS FILED - PART I

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	23 minus 20 =	3
INDEPENDENT CLAIMS	1 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT		

\* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY  
TYPE

OR

OTHER THAN  
SMALL ENTITY

RATE	FEES
	3500
	395.00
x\$11=	22.00
x41=	
+135=	
	TOTAL 282.00

RATE	FEES
	790.00
x\$22=	
x82=	
+270=	
	TOTAL

## CLAIMS AS AMENDED - PART II

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

RATE	ADDI- TIONAL FEE
x\$11=	
x41=	
+135=	
	TOTAL ADDIT. FEE

RATE	ADDI- TIONAL FEE
x\$22=	
x82=	
+270=	
	TOTAL ADDIT. FEE

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDI- TIONAL FEE
x\$11=	
x41=	
+135=	
	TOTAL ADDIT. FEE

RATE	ADDI- TIONAL FEE
x\$22=	
x82=	
+270=	
	TOTAL ADDIT. FEE

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDI- TIONAL FEE
x\$11=	
x41=	
+135=	
	TOTAL ADDIT. FEE

RATE	ADDI- TIONAL FEE
x\$22=	
x82=	
+270=	
	TOTAL ADDIT. FEE

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.